

### Remarks

The Examiner first objected to the specification for failure to provide a proper antecedent basis for the claimed subject matter.

The structure of claim 17 regarding sealing surface for the window is shown in Figure 2 of the specification as element 57, the back rail of the contoured body of the floor and fender structure 30. The specification has been amended accordingly. No new matter is added as the window position is shown in Figure 1 which would correspond to the back rail 57. According to the preferred embodiment, the features for forming window and door sealing surfaces described in the specification are the rails 57, 58, 59 of the contoured body.

The Examiner next objected to the drawings for not showing the features of the claimed invention. The structure of amended claim 12 is shown in Figure 2.

Claim 12 is amended to state that the contoured body *is composed of a substantially homogeneous fiber-reinforced plastic*. Therefore the drawing shows the contoured body. The drawing need not show its recited composition.

The Examiner next rejected claims 1-2, 4-5, 7, 11-12, 16 and 22 under 35 USC 102 (b) as being anticipated by *Taylor*. However, the Applicants have amended claim 1 to clarify that the invention includes an integral floor and fender structure formed by a contoured body substantially composed of plastic material; and the metal cab frame is supported *on a top side of the contoured body, wherein the metal cab frame is supported on the plastic material of the contoured body*.

According to the preferred embodiment of the invention, advantages are achieved by securing a metal cab frame onto a top of a one piece, plastic cab floor and fender structure. According to this embodiment, penetrations through the cab

floor and fender structure to allow for the connection of the frame members to the chassis are avoided. By reducing penetrations, points of noise and water entry into the cab are reduced. By mounting the cab frame to a top side of the floor and fender structure, assembly is simplified. A less complex and less costly frame structure can be provided.

*Taylor* describes a vehicle cab floor made as a one-piece plastic molding. However, there is no description that a cab frame would be carried on top of the plastic cab floor. It is not suggested in this reference to have a metal cab frame supported on a top side of a plastic cab floor. The opposite is taught and suggested.

*Taylor* describes a border around an *underside* of the laminated floor that is treated so that the floor can be effectively secured onto a cab frame:

"When the moulded floor is fitted to a cab it is desirable to provide a watertight and gastight seal. This may be achieved by abrading the underside of the border to expose glass fibres, thoroughly de-greasing this border and abrading and de-greasing the surfaces of the cab to which the border is to be bolted, applying a suitable epoxy resin, for example Araldite (Trade Mark) to the interface and then bolting the floor to the cab structure."

Page 2, lines 27-36.

Furthermore in order to bolt this floor to the *underlying* cab structure, the floor includes recessed holes 13 to receive bolts by which the floor is secured to the cab structure (page 1, lines 109-112).

It is clear that in *Taylor* the cab floor 1 is bolted onto a cab frame. A cab frame is not bolted onto the floor.

Applicants submit that the rejection of claims 1-2, 4-5, 7, 11-12, 16 and 22 has been overcome and requests withdrawal of the rejection of the claims.

The Examiner next rejected claims 23-24 under 35 USC 103(a) as being obvious under 35 USC 103(a) over *Taylor*. However, as discussed above, *Taylor* does not disclose or suggest the inventive feature of mounting a metal cab frame on a top side of a plastic contoured body that forms a floor and fender structure.

Applicants submit that the rejection of claims 23-24 has been overcome and requests withdrawal of the rejection of the claims.

The Examiner next rejected claims 3, 8-10 under 35 USC 102(b) or, in the alternative, under 35 USC 103(a) as being unpatentable over *Taylor*. *Taylor* does not disclose or suggest a metal cab frame mounted onto a top of a plastic contoured body that forms a floor and fender structure.

Applicants submit that the rejection of claims 3, 8-10 has been overcome and requests withdrawal of the rejection of the claims.

The Examiner next rejected claims 6 and 13 under 35 USC 103 (a) as being unpatentable over *Taylor* in view of *Richards*. However, *Richards*, like *Taylor* also does not disclose or suggest a metal cab frame mounted onto a top of a plastic contoured body that forms a floor and fender structure.

Applicants submit that the rejection of claims 6 and 13 has been overcome and requests withdrawal of the rejection of the claims.

The Examiner next rejected claim 14 under 35 USC section 103 (a) as being compatible over *Taylor*. However as set forth above *Taylor* does not disclose a metal cab frame being mounted on a top side of a plastic contoured body.

Applicants submit that the rejection has been overcome and requests withdrawal of the rejection of claim 14.

The Examiner next rejected times 17 and 18 under 35 USC 103(a) as being unpatentable over *Taylor* in view of *Bonnett et al.*

*Bonnett et al.* also does not disclose the arrangement of independent, base claim 1 that a metal cab frame is supported on a top side of the plastic floor and fender structure. Since neither reference describes this important feature of independent claim 1, the rejected claims 17 and 18 should now be allowable.

The Examiner indicated that claims 25-34 were allowed and that claims 19-21 would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Applicants have complied with this suggestion and has so rewritten claim 19. Claims 19-21 and 25-34 should now all be allowable. Applicants acknowledge the allowance with appreciation.

Applicants assert that all claims are now in condition for allowance and request issuance of the application.

Respectfully submitted

By

Randall T. Erickson, Reg. No. 33,872

Randall T. Erickson  
Polit & Erickson, L.L.C.  
3333 Warrenville Road, Suite 520  
Lisle, Illinois 60532  
(630) 505-1460  
Fax: (630) 505-1460

MARKED-UP VERSION TO SHOW CHANGES MADE

**In The Specification**

On page 4 after the second paragraph, at line 16 please amend the paragraph added by Amendment A as follows:

--The structure 30 includes a back rail 57 that provides a window sealing surface (Figure 2). The structure 30 includes side rails 58, 59 (Figure 2) adjacent to the door or window opening that increases the overall rigidity of the floor and fender structure 30 as well as providing door or window sealing surfaces.--

**In The Claims**

Please amend claim 1 as follows:

1. (Amended) In a utility vehicle having a chassis supported on wheels, and an operator's cab supported by a metal cab frame, the improvement comprising:  
an integral floor and fender structure formed by a contoured body substantially composed of plastic material; and  
said metal cab frame supported on a top side of said contoured body,  
said metal cab frame supported on said plastic material of said contoured body.

Please amend claim 12 as follows:

12. (Amended) The improvement according to claim 1, wherein said contoured body [comprises] is composed of a substantially homogeneous fiber-reinforced plastic.

Please amend claim 19 as follows:

19. (Amended) In a utility vehicle having a chassis supported on wheels,  
and an operator's cab supported by a metal cab frame, the improvement comprising:  
an integral floor and fender structure formed by a contoured body  
substantially composed of plastic material;

said metal cab frame supported on a top side of said contoured body;  
and

[The improvement according to claim 1,] wherein said operator's cab  
comprises a roof and said metal cab frame comprises front and rear columns  
supporting said roof, and side members connecting said front columns to said rear  
columns, said side members being secured to a top side of said integral floor and  
fender structure.